

REMARKS

In view of the above amendments and following remarks, reconsideration and further examination are requested.

Attached hereto is a marked-up version of the pages of the claims to which changes have been made by the current Amendment. The attached pages are captioned **"Version With Markings To Show Changes Made."**

By the current Amendment, claims 9, 14 and 21 have been amended. Claim 9 has been amended to correct typographical errors, and claims 14 and 21 have been amended to address the Examiner's 35 U.S.C. 112, second paragraph, rejection of these claims.

With respect to claims 14 and 21, please note that the subject matter as now recited in these claims is fully supported by Figure 1 and its description on page 6, lines 3-4 and lines 14-16 of the original specification. With reference to Figure 1, and lines 3-4 and 14-16 on page 6 of the original specification, it is clear that the analyzer 6 is positioned upstream of air ejector 7. Accordingly, it is respectfully submitted that claims 14 and 21 as amended are fully supported by the original specification.

The Examiner has rejected claims 9-29 under 35 U.S.C. 103(a) as being unpatentable over EP '388 in view of EP '648. This rejection is respectfully traversed for the following reasons.

As expressed in the Response filed January 3, 2003, EP '648 does not disclose or suggest a thermal decomposition device that is packed with γ -alumina. The Examiner's attention is respectfully directed to page 4, lines 6-10 of EP '648. These lines state

As a raw material of Al for manufacturing the catalyst of the present invention, any of γ -alumina, a mixture of γ -alumina and δ -alumina, and the like can be used...As raw materials of various metallic components for manufacturing the catalyst of the present invention, nitrate, sulfate, ammonium salt, chloride, and the like of the metals can be used.

Accordingly, from this portion of EP '648, and as supported by each of the twenty catalysts disclosed on pages 6-9 of EP '648, catalysts of EP '648 only comprise γ -alumina as an initial raw material to be combined with other raw materials, but not as a final product.

Thus, while γ -alumina may be present at the initial stages of forming a catalyst, when the catalyst is finally complete, γ -alumina has been combined with other raw materials to form any of the catalysts as expressed in EP '648, none of which are said be γ -alumina. Perhaps the Examiner is taking the position that because γ -alumina is present as a raw material it must also be present in the final product, i.e. the catalyst; however, the Examiner has provided no support for this conclusion. Accordingly, it is again respectfully submitted that claim 9 is allowable over a combination of EP '388 in view of EP '648, since neither of these references teach or suggest a catalyst that is γ -alumina.

Additionally, the Examiner expressed that a disclosure in a reference is not limited to its specific illustrative examples but must be considered as a whole to ascertain what would be realistically suggested thereby to one having ordinary skill in the art. *In re Uhlig*, 153 USPQ 460. While this proposition asserted by the Examiner is not disputed, it is not clear as to what the Examiner is considering to be suggested by EP '648 with regard to γ -alumina and the catalysts disclosed therein.

If the Examiner is implying that from the disclosure of EP '648 it would be ascertained that γ -alumina can itself be used as a catalyst, then this position is respectfully traversed. While EP '648 does disclose γ -alumina as a raw material from which a catalyst is manufactured, it does not follow from this disclosure that one having ordinary skill in the art would have ascertained that γ -alumina could itself be used as a catalyst. What might be ascertained from the disclosure of EP '648 is that similar, but different, raw materials could be combined with γ -alumina to form catalysts.

To say that one having ordinary skill in the art would have ascertained from the disclosure of EP '648 that γ -alumina itself is a catalyst simply because γ -alumina could be combined with other raw materials to form a catalyst is analogous to saying that one would have ascertained that hydrogen is a liquid at room temperature simply because hydrogen combined with oxygen results in a liquid at room temperature.

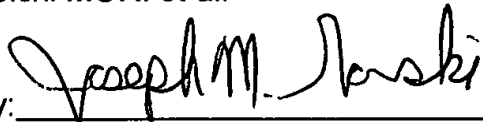
Thus, claims 9-29 are not obvious over a combination of EP '388 and EP '648, and are allowable.

In view of the above amendments and remarks, it is respectfully submitted that the present application is in condition for allowance and an early Notice of Allowance is earnestly solicited.

If after reviewing this Amendment, the Examiner believes that any issues remain which must be resolved before the application can be passed to issue, the Examiner is invited to contact the Applicants' undersigned representative by telephone to resolve such issues.

Respectfully submitted,

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Version with Markings to
Show Changes Made

9. An apparatus for treating a waste gas containing fluorine- containing components, comprising:

a solids treating device for separating solids from a waste gas containing fluorine-containing components;

an addition device for adding to the waste gas leaving said solids treating device one of

(i) H_2 and/or H_2O , and

(ii) H_2 and/or H_2O and O_2

as a decomposition assist gas;

a thermal decomposition device for thermally decomposing the waste gas to which the decomposition assist gas has been added, said thermal decomposition device being packed with γ -alumina to be heated to $500^\circ C$ to $1000^\circ C$; and

an acidic gas treating device for removing acidic gases from the thermally decomposed waste gas.

14. The apparatus according to claim 13, wherein said analyzer is positioned [either] immediately upstream of [or immediately downstream of] said air ejector.

21. The apparatus according to claim 20, wherein said analyzer is positioned [either] immediately upstream of [or immediately downstream of] said air ejector.